

REMARKS

Reconsideration and removal of the grounds for rejection are respectfully requested.

Claims 1-11 were in the application, claims 1-11 were cancelled and new claims 12-27 substituted therefore.

A correction has been made to the specification, Page 9, Line 18 to insert "34" to the second smaller wheel as shown in Fig. 3.

Claims 1-11 were rejected under 35 U.S.C. 112 second paragraphs for being indefinite. Each of the examiner's rejections was considered and corrective language used in the preparation of new claims 12-23. The cancellation of claims 1-11 renders this rejection moot.

Claims 12 and 8-10 were rejected as being obvious over Van Devanter et al in view of Schmidt.

The examiner recognizes that Van Devanter does not disclose the angle adjustable conveyor or the means for automatic adjustment of the plane during cutting. The examiner refers to Schmidt as disclosing the feeding unit having an adjustable horizontal plane.

However, the adjustment devices 13 and 14 are manual handles for changing the gradient of track element 3 and conveyor 7 and no automatic adjustment, between slices, is contemplated or possible given such manual adjustment. (Col. 4, L. 58-62). Also, the cutting effected in Van Devanter has cutter adjustment relative to a vertical plane best seen in Fig. 3, to compensate for the movement of the conveyor to provide substantially perpendicular cuts (26), not to make any adjustment between cuts for providing a plurality of slices of uniform size, that is the same length at a given thickness as is done in the present application. (Col. 7, L. 15-19). (Specification P. 3, L. 5-17, L. 22-27).

No such capability is provided by the proposed combination which does no more than

assure a perpendicular cut in the face of forward conveyor movement, and a one-time manual adjustment of conveyor angles, and even granting the proposed combination, the inventive apparatus and method are not achieved.

Claims 3 and 4 were rejected as being unpatentable further in view of Soviet patent 1001-90-9-A. While the examiner proposes use of the pivotal jaw of the Soviet device in the device of Van Devanter, such a combination still fails to provide means for continued adjustment of each cut angle to provide slices of uniform size and even granting the combination. Claims 3 and 4, now claims 15 and 16, are not rendered obvious thereby.

Claim 5 was rejected further in view of Harris, et al. While the examiner proposes use of the securing element of Harris in the device of Van Devanter, such a combination still fails to provide means for continuous adjustment of each cut angle to provide slices of uniform size and even granting the combination, claim 5, now claim 18, is not rendered obvious thereby.

Claim 6 was rejected further in view of DE2709152. While the examiner proposes use of the securing element of the microprocessor of DE2709152 in the device of Van Devanter, such a combination is improper as no such control device is used or suggested for use in Schmidt and even if found, still fails to provide means for continuous adjustment of each cut angle to provide slices of uniform size and even granting the combination. Claims 6, now claim 19, is not rendered obvious thereby.

Claim 7 was rejected further in view of DL0135798. While the examiner proposes use of the angle setting method of DL0135798 in the device of Van Devanter, such a combination still fails to provide means for continuous adjustment of each cut angle to provide slices of uniform size and even granting the combination, claim 7, now claim 20, is not rendered obvious thereby.

Claim 11 was rejected further in view of Bullock et al. While the examiner proposes use of the packaging system of Bullock in the device of Van Devanter, such a combination still fails

to provide means for continuous adjustment of each cut angle to provide slices of uniform size and even granting the combination, claim 11, now claim 23, is not rendered obvious thereby.

Based on the above amendments and remarks, favorable consideration and allowance of the application is respectfully requested. However, should the examiner believe that direct contact with the applicant's attorney would advance the prosecution of the application, the examiner is invited to telephone the undersigned at the number given below.

Respectfully submitted,



William J. Sapone  
Registration No. 32,518  
Attorney for Applicant(s)

Coleman Sudol Sapone P.C.  
714 Colorado Avenue  
Bridgeport, CT 06605  
Telephone No. (203) 366-3560  
Facsimile No. (203) 335-6779

## MARKED UP SPECIFICATION

Fig. 3 shows in detail how the feeding takes place in relation to the gripping device 4.

The feeding arrangement consists of a large gear wheel 32 which is driven by a motor. This gear wheel is in engagement with two further, smaller gear wheels, where the first smaller gear wheel 33 drives the actual conveyor and the second smaller gear wheel 34 drives a drum 35, the outer-periphery of which is provided with a number of barbs, said barbs 36 protruding up over the level of the conveyor in order to be able to bore up into that fish which is placed in the area before the cutting takes place. The object of this drum 35 mounted with barbs 36 is partly to secure the fish during the cutting and partly to assist with the further conveying forward of the fish piece.